

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ALICIA MARTINEZ,

Plaintiff,

v.

PLANETECHS, LLC, *et al.*,

Defendants.

Case No. C13-1385RSL

ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. On August 5, 2013, defendant PlaneTechs, LLC, removed the above-captioned matter to federal court alleging that the Court has jurisdiction based on the diversity of citizenship of the parties. See 28 U.S.C. § 1332(a) (establishing that the federal court’s basic diversity jurisdiction extends to “all civil actions where the matter in controversy exceeds . . . \$75,000 . . . and is between . . . citizens of different States.”). “For a case to qualify for federal jurisdiction under 28 U.S.C. § 1332(a), there must be complete diversity of citizenship between the parties opposed in interest.” Kuntz v. Lamar Corp., 385 F.3d 1177, 1181 (9th Cir. 2004) (internal citation omitted). In examining whether complete diversity is present, the citizenship of a limited liability company is determined by examining the citizenship of the owners/members. See Johnson v. Columbia Props. Anchorage, LP, 437 F.3d 894, 899

1 (9th Cir. 2006) (holding that “like a partnership, an LLC is a citizen of every state of
2 which its owners/members are citizens”).

3 Defendant PlaneTechs, LLC, failed to provide the citizenship of each of its
4 owners/members. Therefore, defendant has failed to meet its burden to establish the basis
5 of the Court’s jurisdiction. See Indus. Tectonics, Inc. v. Aero Alloy, 912 F.2d 1090, 1092
6 (9th Cir. 1990) (“The party asserting jurisdiction has the burden of proving all
7 jurisdictional facts”); Fed R. Civ. P. 12(h)(3) (“If the Court determines at any time that it
8 lacks subject-matter jurisdiction, the court must dismiss the action”). As a result,
9 PlaneTechs, LLC, is ORDERED TO SHOW CAUSE by August 23, 2013, why the Court
10 should not remand this action to state court by providing the Court with the citizenship of
11 all of the owners/members of the defendant LLC at the time the complaint was filed.

12 The Clerk of the Court is directed to place this order to show cause on the
13 Court’s calendar for August 23, 2013.

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15 DATED this 7th day of August, 2013.

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18 Robert S. Lasnik
United States District Judge